IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION.

WRIT PETITION NO.10211 OF 2004

Mr Madhukar A.Chandrachud, .. Petitioner

Vs

The Municipal Corporation of

Greater Mumbai and ors. .. Respondents

Mr N.D.Hombalkar with Mr N.P.Bhavsar, for the petitioner.

Mr Dujan Madon i/b Kishor Thakurdas & Co for respodent nos 2 to 5.

CORAM : D.B.BHOSALE,J.

DATE : 23rd December, 2004.

PC:

1. Heard the learned counsel for the parties.

2. By this writ petition, the petitioner has impugned the order dated 25.8.2004 by which the application filed by respondent nos 2 to 5 for their impleadment as party defendants has been allowed. Mr Hombalkar, learned counsel for the petitioner, fairly stated that reasons need not be recorded for disposing of the petition and the petitioner would be satisfied if it is observed that the petitioner will have a right to dispute the claim of the added defendants as to the ownership of the suit property at appropriate stage in the instant suit and/or

in appropriate proceedings. After having heard the learned counsel appearing for the parties and perused the impugned order, I am satisfied that the following order will meet the ends of justice.

(i) The writ petition is dismissed. It is open for the petitioner to dispute the claim of the added defendants in the suit property as prayed for.

(D.B.BHOSALE, J.)